

**KAMALA HARRIS**  
**Attorney General**

**State of California**  
**DEPARTMENT OF JUSTICE**



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**Via Certified U.S. Mail**

February 25, 2011

Saks Fifth Avenue Off Fifth  
Attn: Meredith D. Fogel  
Assistant General Counsel  
Saks Incorporated  
12 East 49<sup>th</sup> Street  
New York, New York, 10017

RE: NOTICE OF VIOLATION to Saks Fifth Avenue, Off Fifth (JCT #3704)  
*People v. Burlington Coat Factory Warehouse Corp. et al.*  
Alameda County Superior Court Case No. RG 04-162075

Dear Madam:

I am writing to you about an accessory purchased at Saks Fifth Avenue, Off 5<sup>th</sup> in Milpitas, California that violates the lead standards established in a consent judgment to which your company is a party, and that violates California Health and Safety Code section 25214.2(b)(3). This letter constitutes a Notice of Violation pursuant to Section 4.2 of the consent judgment. A copy of the consent judgment is available on our web site, at <http://ag.ca.gov/prop65/pdfs/-amendedConsent.pdf>.

The violations were observed in the clasp of a gold necklace with ovals and silver rings. The SKU is 810992014721. Our internal reference number is JCT 3708. (Please use the internal reference numbers in correspondence about this notice.)

Samples of this accessory were purchased at Milpitas on January 31, 2011. Test results indicate 49% percent lead in the buckle of the JCT 3708. Photos of the piece, along with the test reports and supporting documentation, are enclosed with this notice.

Lead is a toxic metal that damages the nervous system and other organs. As part of your response to this notice under section 4.2.3 of the consent judgment, we request that you provide data about the amount of the different jewelry items offered for sale, sold, and removed from

shelves in your stores in California. We also would like to know what the company will do with the jewelry that it will not sell in California, and what measures your company will take to prevent other jewelry with lead from being sold in the future.

Please do not hesitate to call if you have any questions.

Sincerely,

JAMIE JEFFERSON  
Deputy Attorney General

For KAMALA HARRIS  
Attorney General

Enclosures

cc: Caroline Cox, Center for Environmental Health  
Eric Somers, Lexington Law Group  
Katherine Moore, Senator Pavley's Office